

# Privacy Impact Assessment Summary

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## Privacy Impact Assessment – TSM/Ncompass Enhancements (Release 6.0)

A Privacy Impact Assessment (PIA) is a risk management tool that allows the Ontario Telemedicine Network (OTN) in its role as a Health Information Network Provider under the 'Personal Health Information Protection Act, 2004'<sup>1</sup> to assess a technology, program or information system's privacy risks and its compliance with provincial and federal legislative requirements and standards. Where required, a PIA also details mitigating strategies by way of recommendations and an action plan. A critical element of the PIA process is the implementation of those recommendations detailed in the assessment.

A PIA has the benefit of generating and communicating internal, public and stakeholder confidence that privacy requirements are being met and risks mitigated. It can also promote fully informed policy decision-making and system design choices, ensuring privacy is considered throughout the business redesign/project redevelopment cycle. A Privacy Impact Assessment is meant to be used and expanded over the cycle of the initiative's development and implementation, to continuously identify and address risks that impact or have the potential to impact the confidentiality, integrity and accessibility of personal health information held/handled by OTN and/or its partners. OTN has adopted a risk tolerance level of low, meaning that low and very low risks will not be immediately actioned, but will be monitored to ensure that they stay within tolerable levels. All high and medium risks are mitigated.

OTN completed a Privacy Impact Assessment (PIA) on its *TSM/Ncompass Enhancements (Release 5.0) Project* dated June 23, 2013. OTN has since made additional improvements and efficiencies to the TSM and Ncompass systems, therefore the PIA for the OTN *TSM/Ncompass Enhancements (Release 6.0)* was finalized July 7, 2014. The *TSM/Ncompass Enhancements (Release 6.0) PIA* assessed the process by which OTN will collect data, how OTN plans to use the data, and ensure public trust that OTN handles any Personal Information (PI) in a responsible manner and communicates to the users of Ncompass any impact the enhancements may have to the protection of Personal Health Information (PHI) used in the scheduling process.

The following is a summary of the PIA, including a brief background on the *TSM/Ncompass Enhancements (Release 6.0) Project*, key findings & recommendations, status, and contact information for the OTN Privacy Office.

## Background

OTN's Telemedicine Services Manager (TSM) application was developed to provide a robust, centralized means of scheduling elective telemedicine applications. TSM provides customized workflow management for scheduling patient consultations, group therapies, educational events, administrative meetings, and general purpose web-stream events. In order to support this functionality, the system also maintains a database of health care providers, telemedicine sites, support staff and locations. TSM also stores personal health information (PHI), and therefore OTN is subject to the Personal Health Information Protection Act, 2004 (PHIPA).

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<sup>1</sup> Ontario Ministry of Health and Long-term Care. "Health Information Protection Act, 2004." [http://www.health.gov.on.ca/english/providers/legislation/priv\\_legislation/priv\\_legislation.html](http://www.health.gov.on.ca/english/providers/legislation/priv_legislation/priv_legislation.html).

There are currently two (2) scheduling related software systems in use at the OTN - TSM and Ncompass self-scheduling application. Ncompass is member facing and offers less functionality than TSM but relies on TSM to operate. TSM is continuously improving features and functionality to provide a positive and efficient member service. TSM completed some functionality updates in 2013, as Release 5.0 of the TSM/Ncompass enhancement project. Additional changes were implanted as a part of the TSM/Ncompass Release 6.0 which includes:

#### **1. Back-end Webcast Scheduling Automation**

This will allow both TSM and Ncompass users to book an event up to 7pm the day before the event, without any intervention or support requirement from an OTN Customer Care representative. When a user requests, edits or cancels a webcast through TSM / Ncompass, the action will automatically be pushed by the OTN system to MediaSite. A response from MediaSite which confirms or declines the request will also be automated, thereby allow the user to see the success of their scheduled event immediately. Users that schedule a webcast may only book educational or non-clinical events.

#### **2. Patient Letter Template Changes**

Previously implemented changes to the OTN Interactive Voice Response (IVR) dial in number and the renaming of Customer Care at OTN requires minor changes to the patient clinical event conformation letters. The letter must be updated with the new IVR set-up details, as well as a change to the name of the Customer Care department.

#### **3. Marked Time Informational Label Functionality**

The "Marked Time" functionality allows TSM and Ncompass users to attached informational labels scheduling calendars for unavailable resources in their facility. When a Marked Time label is added to facility resources, other TSM or Ncompass users will easily see when resources will be unavailable for use and will not try to book those resources during the blocked time.

#### **4. Request for Assistance Email Template**

TSM and Ncompass users that are booking a clinical event may require support from OTN Customer Care in order to complete their event booking. If the user is in need of assistance they can open the template email, complete the required information and send the email to the OTN Customer Care department. The collection of information about the nature of the assistance requested cuts down on the number of emails between the requestor and OTN Customer Care, thereby allowing for a more efficient response to the user and scheduling of their event.

#### **5. OTN Customer Care/Technical Support Override Button**

The override button, which is for the use of the OTN Customer Care representative or the Technical Support agent provide them with the ability to leave an event in a "scheduled" status while work is occurring on the back-end to move systems around between the blades to accommodate scheduling of events. This will eliminate the unnecessary calls from end users on the day of the event should the back-end work inadvertently push the event in the system to an "unscheduled" status.

#### **6. Lower the Maximum Number of Systems Added by A User**

The Maximum number of systems that can be added by an Ncompass or TSM user will be lowered from 85 to 60 to allow for efficient management of OTN resources.

## 7. Age Group Fix

TSM and Ncompass Users that are scheduling a point-to-point clinical event must enter the patients a) Date of Birth, b) their age group or c) select a patient from the existing OTN registry of patients. The system will restrict a user's selection to only one of the 3 choices noted.

## Key Findings/Risks & Recommendations

OTN is working from the foundation of a strong privacy program and is well positioned to implement recommendations which will serve to mitigate any identified risks. Additionally, very few of the enhancements examined in the PIA for TSM Release 6.0 included substantive changes to collection, use, disclosure or retention of any PHI or PI.

The *TSM/Ncompass Enhancements (Release 6.0)* PIA identified the following privacy recommendations, that once implemented will support the existing privacy controls already in place at OTN. The PIA noted the following risks and recommendations:

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
1	Medium	There is a risk that there is no clear contractual provision in OTN agreements which states that PHI may not be transmitted through video conferencing services.	As OTN will not offer the functionality for clinical information to be webcast, OTN should consider updating their user agreements to stipulate that user compliance with the Webcasting Policies and Procedures is required when utilizing the video conferencing services and TSM and Ncompass users may not schedule webcasts which include any PHI.	Completed
2	Medium	There is a risk that a contract is not in place between OTN and Sonic Foundry (MediaSite provider).	OTN should execute a contract with Sonic Foundry (MediaSite vendor) that includes the appropriate privacy clauses, based on the sensitivity of the information which may be available to the vendor.	Completed
3	Medium	There is a risk that PHI may be transmitted via email inadvertently by a user.	OTN should consider using a web form, as opposed to an email for the transmission of requests for assistance. If PHI is entered into the form, it would be contained on a	Completed

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
			secure network.	
			It is recommended that OTN continue with their plans to have a TRA completed for the TSM Phase 2 enhancements. Even though administrative controls are in place to request users not to include PHI in emails for assistance, The TRA should include a review of the secure transmission of email templates.	
			OTN should consider the following small changes to the enhance the privacy controls currently in place for the TSM/Ncompass email enhancement: a) Move the "DO NOT INCLUDE PATIENT INFO" statement to the top of the email, before the questions. b) Include a statement in the body of the email about the fact that email is not a secure way to transmit any PHI. If specific patient information must be transmitted, the users should call OTN Customer Care with the relevant scheduling issues/details. c) Change "Please describe the assistance required below." language to something that only requests an answer to the stated question, such as "Please answer the following questions so we may better assist you."	

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
			d) Ensure the privacy training for TSM/Ncompass users includes information about email transmissions and PHI.	
4	Low	There is a risk that updates to online training materials or other online privacy guidance documentation is not seen by users.	OTN should consider a communication program with users in which new guidelines and informational privacy material (of relevance to the user), be sent out to existing member users.	Completed
5	Medium	There is a risk that training for external Ncompass users is only conducted when they join OTN.	OTN should consider annually refreshing privacy training for member and internal users.	In Progress
6	Medium	There is a risk that vendor contracts for those providers that have access to PHI, may not be in place.	The OTN Privacy team should review all contracts with vendors that have access to PHI to ensure that agreements that include the appropriate privacy provisions are executed with those vendors.	In Progress
7	Low	There is a risk that new contracts will not have been reviewed by legal counsel and may not include fully binding measure and terms and conditions relevant to the health sector in Ontario.	OTN should consider a legal review of all member contracts created as a part of their new agreement strategy.	Accept
8	Low	There is a risk that vendors are not aware of retention limits for video conference recoding since no contract is in place between OTN and Sonic Foundry (MediaSite supplier).	OTN should ensure that retention timeframes are a part of any contract which is put in place with Sonic Foundry for the video conference recordings in their custody.	Completed

Please contact the OTN Privacy Office should you have any questions:

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